

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

SHONEY'S NORTH AMERICA CORPORATION, )

Plaintiff, )

v. )

ELBANNA ENTERPRISE ONE, INC., *et al.*, )

Defendants. )

Civil No. 3:09-0781

Judge Trauger

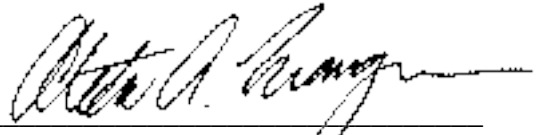
**ORDER**

On February 8, 2010, the Magistrate Judge issued a Report and Recommendation (Docket No. 61), to which no timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that default is entered against the following corporate defendants: Elbanna Enterprise One, Inc., Elbanna Enterprise Three, Inc., Elbanna Enterprise Five, Inc., and Elbanna Enterprise Seven, Inc.

Given the fact that the only remaining defendant, Khalil E. Elbanna, is in bankruptcy and that the case has been stayed as to him, it is hereby **ORDERED** that, if the plaintiff does not file a motion for default judgment against the corporate defendants within twenty-one (21) days of the entry of this Order, this case will be closed on the court's docket.

It is so **ORDERED**.

ENTER this 3rd day of March 2010.

  
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ALETA A. TRAUGER  
U.S. District Judge